

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-20 are presently pending in this case. Claims 1, 6, 9, 14, 17, and 18 are amended by the present amendment. As amended Claims 1, 6, 9, 14, 17, and 18 are supported by the original disclosure, no new matter is added.

In the outstanding Official Action, Claims 1, 9, 14, 17, and 18 were rejected under 35 U.S.C. §112, second paragraph; Claims 1-3, 5-11, and 13-18 were rejected under 35 U.S.C. §103(a) as unpatentable over Sato (U.S. Patent No. 7,299,271) in view of Kyojima et al. (U.S. Patent No. 6,275,936, herein "Kyojima") and further in view of Takaragi et al. (U.S. Patent No. 6,592,032, herein "Takaragi"); Claims 4 and 12 were rejected under 35 U.S.C. §103(a) as unpatentable over Sato in view of Kyojima and Takaragi and further in view of Dansie et al. (U.S. Patent No. 7,308,487, herein "Dansie"); and Claims 19 and 20 were rejected under 35 U.S.C. §103(a) as unpatentable over Sato in view of Kyojima and Takaragi and further in view of Official Notice.

With respect to the rejection of Claims 1, 9, 14, 17, and 18 under 35 U.S.C. §112, second paragraph, Claim 1 is amended to recite "said content identification information and content attribute information are stored in a data area such that no information is removed from said content identification information and content attribute information when the acquire/use file passes through said proxy device." Claims 6, 9, 14, 17, and 18 are amended in a similar manner. Thus, it is respectfully submitted that Claims 1, 9, 14, 17, and 18 are in compliance with all requirements under 35 U.S.C. §112, second paragraph.

With regard to the rejection of Claims 1, 6, 9, 14, 17, and 18 as unpatentable over Sato in view of Kyojima and further in view of Takaragi, that rejection is respectfully traversed.

Amended Claim 1 recites in part:

sending file request information that requests an acquire/use file storing acquire/use content identification information and content attribute information, to an acquire/use information providing device in response to a request for content data;

receiving via a proxy device said acquire/use file that stores the content identification information and said attribute information of said content data sent by said acquire/use information providing device in response to the content data request, ***said content identification information and content attribute information are stored in a data area such that no information is removed from said content identification information and content attribute information when the acquire/use file passes through said proxy device, said receiving via a proxy device including receiving said acquire/use file sent in compliance with HTTP (Hyper Text Transfer Protocol) from said acquire/use information providing device;***

sending content request information requesting said content data from a content providing device according to said acquire/use information contained in said acquire/use file; and

receiving said content data sent by said content providing device in response to the transmission of said content request information.

It is respectfully noted that Claim 1 recites a method that includes receiving an acquire/use file sent in compliance with the HTTP standard, but then the method deviates from the HTTP standard by storing the content identification information and content attribute information in a data area such that no information is removed from said content identification information and content attribute information when the acquire/use file passes through said proxy device. Thus, with regard to the statement on page 11 and 12 of the outstanding Office Action that the previous arguments contradict the pending claims, it is again noted that once the acquire/use file sent in compliance with the HTTP standard is received, the claimed method begins to deviate from the HTTP standard. Accordingly, arguments noting that the claimed invention differs from the HTTP standard that Sato appears to follow in every respect are not inconsistent with the pending claims.

In this regard, §4.4 of the HTTP standard describes that “If a Content-Length header field (section 14.13) is present, its decimal value in OCTETs represents both the entity-length and the transfer-length. The Content-Length header field **MUST NOT** be sent if these two lengths are different (i.e., if a Transfer-Encoding header field is present). If a message is received with both a Transfer-Encoding header field and a Content-Length header field, the latter **MUST** be ignored.” (Emphasis original.) Thus, under the HTTP standard, a proxy device ***always*** removes some information from a message ***meeting the above description***.

With regard to the statement on page 11 of the outstanding Office Action that “the examiner cannot understand how this passage describes with the applicant has stated that the proxy device always removes some information,” it is respectfully noted that the previous arguments did not state simply “under the HTTP standard, a proxy device ***always*** removes some information from a message.” As repeated above, the previous arguments stated that under the HTTP standard, a proxy device ***always*** removes some information from a message ***meeting the above description***. This argument is again repeated, as it is believed to be accurate in describing the difference between the claimed invention and the HTTP standard.

In contrast, Sato describes the use of the HTTP standard, and thus must also have this property as described in the standard. Accordingly, not only does Sato not teach or suggest “said content identification information and content attribute information are stored in a data area such that no information is removed from said content identification information and content attribute information when the acquire/use file passes through said proxy device, said receiving via a proxy device including receiving said acquire/use file sent in compliance with HTTP (Hyper Text Transfer Protocol) from said acquire/use information providing device,” modifying Sato to include this feature would make Sato unsuitable for its intended purpose, which is providing HTTP compliant communication.

Further, Kyojima only describes the storage of data that a user cannot change, and does not describe anything related to communications according to the HTTP standard. Accordingly, Kyojima also does not teach or suggest “said content identification information and content attribute information are stored in a data area such that no information is removed when the acquire/use file passes through said proxy device, said receiving via a proxy device including receiving said acquire/use file sent in compliance with HTTP (Hyper Text Transfer Protocol) from said acquire/use information providing device.”

Finally, Takaragi describes a method of controlling information written into a storage media. Takaragi does not describe storing any data from an acquire/use file sent in compliance with HTTP (Hyper Text Transfer Protocol), and in fact does not mention HTTP. Accordingly, modifying Sato to violate the HTTP standard based on Takaragi would make Sato unsuitable for its intended purpose, which is providing HTTP compliant communication. Accordingly, not only does Takaragi fail to teach or suggest “said content identification information and content attribute information are stored in a data area such that no information is removed when the acquire/use file passes through said proxy device, said receiving via a proxy device including receiving said acquire/use file sent in compliance with HTTP (Hyper Text Transfer Protocol) from said acquire/use information providing device,” there can be no suggestion or motivation to modify Sato to include this feature.

Thus, it is respectfully submitted that the proposed combination does not teach or suggest “receiving via a proxy device” as defined in amended Claim 1, and there is no suggestion or motivation to modify Sato to include such a feature. Consequently, Claim 1 (and Claims 2-5, 19, and 20 dependent therefrom) is patentable over Sato in view of Kyojima and further in view of Takaragi.

Independent Claims 6, 9, 14, 17, and 18 also recite the use of the HTTP standard where information is stored in a data area such that no information is removed from said

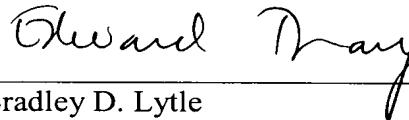
content identification information and content attribute information when a file passes through a proxy device. As noted above, under the HTTP standard, a proxy device *always* removes some information from a message meeting the conditions described in §4.4 of the HTTP standard. Accordingly, independent Claims 6, 9, 14, 17, and 18 (and Claims 7, 8, 10-13, 15, and 16 dependent therefrom) are patentable over Sato in view of Kyojima and further in view of Takaragi for the reasons described above with respect to Claim 1.

With regard to the rejection of Claims 4 and 12 as unpatentable over Sato in view of Kyojima and Takaragi and further in view of Dansie, it is noted that Claims 4 and 12 are dependent from Claims 1 and 9, and thus are believed to be patentable for at least the reasons discussed above. Further, it is respectfully submitted that Dansie does not cure any of the above-noted deficiencies of Sato, Kyojima, and Takaragi. Accordingly, it is respectfully submitted that Claims 4 and 12 are patentable over Sato in view of Kyojima and Takaragi and further in view of Dansie.

Accordingly, the pending claims are believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Bradley D. Lytle
Attorney of Record
Registration No. 40,073

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 08/07)

Edward W. Tracy, Jr.
Registration No. 47,998